

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MARSHALL ELAY

PLAINTIFF

v.

CIVIL ACTION NO. 3:12-cv-810-CWR-FKB

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge F. Keith Ball entered on January 30, 2014, Docket No. 26, which notified the respective parties in the above-styled and numbered cause that failure to file written objections to the findings and recommendations contained therein within fourteen (14) days of being served would bar further appeal in accordance with 28 U.S.C. § 636 and Fed. R. Civ. P. 72(b). On February 4, 2014, Plaintiff, who is proceeding *pro se*, filed a document labeled “Objections,” which simply states that Plaintiff objects “to the proposed findings, conclusion, and recommendation contained within [the] Report and Recommendation . . .” Docket No. 27, at 1. The Defendant responded to Plaintiff’s objection, Docket No. 28, noting that although Plaintiff stated a general objection to the Report and Recommendation, he did not state *specific* objections or provide any argument to support his position.

“Where a party fails to file specific objections to a magistrate judge’s proposed findings of fact and recommendation, the district court reviews the proposed findings of fact and recommendation for findings and conclusions that are clearly erroneous or contrary to law.”

Kindrex v. Lewis, No. 3:13-cv-98-HSO-RHW, 2014 WL 232212, at *1 (S.D. Miss. Jan. 22, 2014) (citing 28 U.S.C. § 636(b)(1); *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989)).

Having reviewed the Report and Recommendation, the record, and relevant law, the Court finds that

the Report and Recommendation is not clearly erroneous or contrary to law, and, therefore, that Plaintiff's general objection to the Report and Recommendation should be overruled.

IT IS, THEREFORE, ORDERED that Plaintiff's objection to the Report and Recommendation is overruled, that the Magistrate Judge's Report and Recommendation is adopted fully herein by reference, that Defendant's Motion to Affirm, Docket No. 13, is granted, and that Plaintiff's Motion, Docket No. 15, is denied.

SO ORDERED, this the 3rd day of March, 2014.

s/Carlton W. Reeves
UNITED STATES DISTRICT JUDGE